

LAWRENCE PARK TOWNSHIP
BOARD OF COMMISSIONERS MEETING

6:00 p.m.

August 12, 2020

4230 Iroquois Avenue

In Attendance: Commissioner J. Cabaday, Commissioner T. Benovic, Commissioner E. Gerardine, Secretary C. Cunningham (Solicitor A. Martinucci via cell phone).

Visitors: Joe Golden, Janell & Michael Peterson, Jan Conti, Charles Curtis, Al Renshaw, Dale Durst, Rita Nicolussi

~Commissioner Cabaday called the meeting to order at 6:00 p.m. The Pledge of Allegiance to the Flag was performed~

Engineers Report:

-Community Center Air Conditioning & Air Handling Upgrade Project: Urban is continuing our coordination efforts for the project. The next meeting with the Township, CJL and Urban on the project will be held in mid-August at which time costs and system components will be discussed to obtain final direction and preferences from the Township prior to CJL finalizing design plans.

-2020 Streets Resurfacing Project: Urban is continuing our construction oversight and inspection services for the Township for this project. Pavement milling, scratch course and wearing course paving has been completed. Replacement of traffic loop sensors disturbed by milling operations has been completed. A vast majority of the ADA ramps have been constructed.

-Remaining ADA ramps at the Priestley and Field intersection will not be constructed until such time that First Energy relocates a utility pole from the southwest to the northwest corner. Per current and tentative scheduling info from First Energy, that will not occur until mid-August at the earliest as electric crews have been diverted to the East Coast to help in reconstruction effort due to the recent tropical storm damage. As such, a Change Order is recommended, and will be prepared by Urban to extend the project's completion date 30 days, from August 21st to September 21st, which will be submitted for Township approval.

-Per the Township's request through Urban, the contractor has re-seeded and re-mulched areas disturbed by construction activities at several locations. Urban will periodically monitor the grass growth over the next several weeks and, if necessary, request further re-seeding and re-mulching.

Solicitors Report:

-Since Commissioner's meeting on 7/8/20 we have been engaged to address a number of different issues:

1. We have reviewed various code enforcement issues. 2. We have finalized the Ordinance to replace the current Property Maintenance portions of the Township's Building and Housing Code. This Ordinance adopts, with limited modification, the International Property Maintenance Code, 2018 Edition, as may be amended from time-to-time, much like the Building Code incorporates the Uniform Construction Code. Adopting a recognized code such as this allows the Township to remain up to date on the subject matter covered by the adopted code without having to constantly study and revise its ordinances as recognized national and international standards change. These revisions also provide the Township with the option to pursue property maintenance code compliance through civil, as well as criminal, means. In most instances, the Township has little need, and even less interest, in pursuing criminal charges against residents. The goal of the Township is not to punish, but rather to incentivize compliance. It also allows the Township to pursue a path of code enforcement that gives the Township itself the right to appeal an unfavorable decision at the MDJ level, something that is very difficult to pursue if a matter is prosecuted as a criminal offense, even at the summary offense level. 3. The Tracey DeSantis matter has been settled by the insurance carrier, Select Insurance. In fact, it was settled on May 1, 2020, although neither I nor the Township were apprised of the fact that settlement was being discussed, let alone that terms had been agreed-upon. Notice of the settlement was not provided to us until after the Township received an invoice for the deductible on July 30, 2020. The total amount of the settlement \$35,000.00 The Township's deductible in the matter was \$2,500, which has been paid. 4. We have been asked to advise the Board of Commissioners with regard to a subdivision request which, we understand, may be presented to the Board at tonight's meeting, and we are prepared to address that matter.

Reports:

Commissioner T. Benovic made a motion to approve all reports as presented. Commissioner E. Gerardine seconded the motion; the motion carried.

Visitors signed in to speak:

-Michael Peterson Addressed the Board concerning two parcels that he had purchased. He would like to sub-divide these parcels and asked the Board's permission to do so. The Solicitor advised Mr. Peterson that he would need to approach the Lawrence Park Planning Commission before he brings them to the Board of Commissioners for approval. Peterson said that

he is adding onto another piece of property. The Solicitor told him it is called a minor sub-division due to the fact that they are not looking for additions of utilities etc. Peterson stated that he had gone to the Erie County Planning Board and they had signed off. Solicitor Martinucci reiterated that he would need to go the Lawrence Park Planning Board and then bring it back to the Board of Commissioners.

-Jan Conti spoke to the Board concerning the burned properties on Rankine Avenue. Ms. Conti asked what if any progress has been made on these properties. She stated that there has been an abundance of animals, smells and children breaking in. She asked if the Land Bank could take the properties. Commissioner Cabaday asked Solicitor Martinucci if he would update her on the situation. Martinucci said that he completely understands her frustration and all the other neighbors as well as the Board. There are a number of things that have to happen first before anything can be done. The properties are all privately owned and insurance companies are involved as well as lack of insured. The Township has instructed Code Enforcement to move forward with proper notices being sent out this past month. Once all legal steps have been taken then the Township can proceed. Ms. Conti asked if the Township could level the properties, Martinucci said these are privately owned and proper steps must legally need to be taken to obtain imminent domain. Conti also said she has not seen any reported progress on these properties, she was told that all of matters concerning the property progress has been recorded in the BOC minutes which are on the Lawrence Park Township Website as well as in the Solicitors reports within the minutes. Commissioner Cabaday said the Township has been taking care of the mowing of the properties on an as-needed basis.

- Al Renshaw reported the boat ramp suffered damage once again. Renshaw asked if restrooms could be considered at a later date. Renshaw also asked about the foot bridge near Twinbrook, Commissioner Cabaday said that they have been in contact with Wabtec and they are willing to let us work on it.

Bills:

Commissioner T. Benovic made a motion to pay bills as presented, Commissioner E. Gerardine seconded the motion; the motion carried.

Minutes:

Commissioner T. Benovic made a motion to approve the Minutes from 7/8/20. Commissioner E. Gerardine seconded the motion; the motion carried.

Resolutions:

-Commissioner T. Benovic read aloud Resolution 2020-09 – Surplus Property with following roll call VOTE taken by Secretary C. Cunningham; Commissioner T. Benovic; “aye”; Commissioner J. Cabaday; “aye”; Commissioner E. Gerardine “aye”; with all in favor, Resolution 2020-09 was duly approved.

-Commissioner Cabaday read aloud Resolution 2020-10 – 2019 EACOG Audit with following roll call VOTE taken by Secretary C. Cunningham; Commissioner T. Benovic; “aye”; Commissioner J. Cabaday; “aye”; Commissioner E. Gerardine “aye”; with all in favor, Resolution 2020-09 was duly approved.

Old Business: N/A

New Business:

-Commissioner T. Benovic motioned to advertise, Ordinance 2020-1 Amending the Housing and Maintenance Code, Commissioner E. Gerardine seconded the motion; the motion carried.

-Commissioner T. Benovic motioned to approve Payment for invoice #1 for \$441,189.98 for the 2020 Streets Paving project to Joseph McCormick’s Construction, Commissioner E. Gerardine seconded the motion; the motion carried.

-Commissioner Benovic reported that she has had 2 requests for memorial benches to be placed in elbow tree park. She is awaiting plans from residents. Benovic also stated that Friday, August 14 will be the last day that the parks will be staffed.

~Commissioner T. Benovic motioned to adjourn the meeting at 6:36 p.m. Commissioner E. Gerardine seconded the motion; the motion carried. ~

Respectfully Submitted:

Cindy Jo Cunningham
Board of Commissioner’s Secretary